

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LUIS YULI,

Plaintiff,

-against-

TRANS UNION, LLC, EQUIFAX INFORMATION  
SERVICES, LLC, EXPERIAN INFORMATION  
SOLUTIONS, INC., ONEMAIN FINANCIAL,  
MUNICIPAL CREDIT UNION, TOYOTA MOTOR  
CREDIT CORPORATION, T.D. BANK,  
N.A. NORTH SHORE CENTRAL SCHOOL  
DISTRICT,

Defendants.  
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For Online Publication Only

**ORDER**

18-CV-7018 (JMA) (SIL)

**AZRACK, United States District Judge:**

Pending before the Court is a motion for judgment on the pleadings filed by Defendant T.D. Bank, N.A. (“TD Bank”) pursuant to **Fed. R. Civ. P. 12(c)** or, alternatively, for dismissal for lack of standing. On May 27, 2020, I referred defendant’s motion to Magistrate Judge Steven I. Locke for a Report and Recommendation (“R&R”).

On August 7, 2020, Judge Locke issued an R&R recommending that: (1) TD Bank’s motion under Rule 12(c) be granted; (2) plaintiff’s claims against TD Bank be dismissed with prejudice; and (3) leave to amend the complaint be denied.

In reviewing a magistrate judge’s report and recommendation, the court must “make a de novo determination of those portions of the report or . . . recommendations to which objection[s][are] made.” **28 U.S.C. § 636(b)(1)(C)**; see also Brown v. Ebert, No. 05–CV–5579, **2006 WL 3851152**, at \*2 (S.D.N.Y. Dec. 29, 2006). The court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” **28 U.S.C. §**

636(b)(1)(C). Those portions of a report and recommendation to which there is no specific reasoned objection are reviewed for clear error. See Pall Corp. v. Entegris, Inc., 249 F.R.D. 48, 51 (E.D.N.Y. 2008).

To date, no objections have been filed to the R&R and the deadline for filing any such objections has passed.

I have reviewed Judge Locke's R&R for clear error, and finding none, I hereby: (1) grant TD Bank's motion to dismiss under Rule 12(c); (2) dismiss plaintiff's claims against TD Bank with prejudice; and (3) deny plaintiff leave to amend the complaint.

The Clerk of Court is directed to close this case.

**SO ORDERED.**

Dated: September 18, 2020  
Central Islip, New York

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/s/ (JMA)  
JOAN M. AZRACK  
UNITED STATES DISTRICT JUDGE